

Petition to the Senate by family members, relatives and friends of Kenyan workers in Saudi Arabia, calling for the protection of Kenyan Domestic workers in Saudi Arabia and the Middle East

REPUBLIC OF KENYA



PARLIAMENT

THE SENATE

DDLPs
Please cross-check
and forward for
approval and
presentation.
25/3/15
[Signature]

**PETITION MADE TO THE SENATE BY FAMILY MEMBERS,
RELATIVES AND FRIENDS OF KENYAN WORKERS IN SAUDI
ARABIA, CALLING FOR THE PROTECTION OF KENYAN
DOMESTIC WORKERS IN SAUDI ARABIA AND THE MIDDLE
EAST**

BY

**SEN. EMMA MBURA
NOMINATED SENATOR**

March, 2015

We, the undersigned,

Citizens of the Republic of Kenya, comprising of family members, relatives, and friends of Kenyan workers suffering in Saudi Arabia, and concerned members of the public committed to nurturing and protecting the well-being of the individual Kenyan workers in Saudi Arabia, their families, communities, and the nation wish to-

DRAW the attention of the Senate to the following:

1. **THAT**, given the lack of employment opportunities and the general state of the economy here in Kenya, many Kenyans majority being from Mombasa County, leave the country to seek employment opportunities in Saudi Arabia;
2. **THAT**, many such workers in Saudi Arabia are subjected to brutality and other myriad of abuses by their employers, including forced labor, denial of payment, denial of access to their passports and phones which are taken away on arrival, imprisonment without trial, rape, forced abortions and murder.
3. **THAT**, those who commit the said crimes against Kenyan workers are never held accountable under the laws of the Kingdom of Saudi Arabia.
4. **THAT**, all attempts, including petitioning the Ministry of Foreign Affairs to intervene and stop employment agents who take Kenyans to Saudi Arabia without securing their rights and interests and petitioning the Embassy of the Royal kingdom of Saudi Arabia in Nairobi, to intervene and resolve some of the grievances above and/or to seek appropriate redress have failed;
5. **THAT**, the Government of Kenya should intervene as a matter of urgency to save these vulnerable Kenyans from further suffering; and
6. **THAT**, none of the issues raised in this Petition are pending in any court of law, constitutional or legal body.

WHEREFORE, your humble petitioners Pray that the Senate intervenes and-

1. Calls upon the National Government to reach out to the Government of the Royal Kingdom of Saudi Arabia and enter into a special Employment Contract (hereinafter, the Contract) that will secure and standardize the work environment for Kenyan workers in accord with the International Labour Organization (ILO) Convention concerning decent work for domestic workers;

2. Directs the National Government to audit the operations of recruitment agencies in Kenya and verify all employment contracts submitted by Saudi Arabian recruitment offices;
3. Call upon the Government of Kenya to request the Kingdom of Saudi Arabia as the labour destination, to be responsible for authenticity of the employment contract, provide a 24-hour mechanisms for domestic workers' assistance and provide expeditious settlement of labour contract violation cases;
4. Calls upon the Government of Kenya to request the Government of the Royal Kingdom of Saudi Arabia to repatriate the bodies of all dead Kenyans, and all Kenyans who are languishing in Saudi Arabian prisons; and
5. Takes any other measure deemed fit, just, and expedient, in the circumstances, to protect the rights and fundamental freedoms of Kenyan citizens working in Saudi Arabia under the general rules of international law, international treaties and conventions, and other instruments ratified by both Kenya and Saudi Arabia, and the Constitution of the Republic of Kenya.

Counter-signed and presented to the Senate by Sen. Emma Mbura.

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SEN. EMMA MBURA
NOMINATED SENATOR.

Dated this.....day of2015.

Mogere,

I have made corrections. See if you can make sense of them and revise.

Agili

23/3/15

REPUBLIC OF KENYA



PARLIAMENT

THE SENATE

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We, the undersigned,

Citizens of the Republic of Kenya, comprising of family members, relatives, and friends of Kenyan workers suffering in Saudi Arabia, and concerned members of the public committed to nurturing and protecting the well-being of the individual Kenyan workers in Saudi Arabia, their families, communities, and the nation wish to-

DRAW the attention of the Senate to the following:

1. **THAT**, given the lack of employment opportunities and the general state of the economy ~~back at home~~ ^{here in Kenya} many Kenyans, ~~majority being from Mombasa County, who seek employment opportunities in Saudi Arabia~~ ^{leave the country to} encounter systemic hardships and brutality at the hands of their employers;
2. **THAT**, many such workers ~~in Saudi Arabia~~ ^{in Saudi Arabia} are subjected to a myriad of abuses by their employers, including forced labor, denial of payment, confiscation of their passports and phones upon arrival, imprisonment without trial, rape, forced abortions and murder;
3. **THAT**, those who commit the said crimes against Kenyan workers are never held accountable under the laws of the Kingdom of Saudi Arabia;
4. **THAT**, ~~many local~~ ^{all} attempts to resolve some of the stated grievances and/or to seek appropriate relief have ~~all~~ ^{ceased have} failed including petitioning the Ministry of Foreign Affairs to intervene and stop employment agents who take ~~workers~~ ^{Kenyans} to Saudi Arabia without securing their rights and interests, petitioning the Embassy of the Royal kingdom of Saudi Arabia in Nairobi and pleas to civil society groups to intervene;
5. **THAT**, ~~the time has come for~~ ^{should} the Government of Kenya ~~to~~ ^{as a matter of urgency} intervene, and ~~to save these vulnerable Kenyans from imminent calamity; and~~ ^{not};
6. **THAT**, no issues raised in this Petition are ~~pending~~ ^{not} in any court of law, or other Constitutional Commission, or any other legal body.

WHEREFORE, your humble petitioners pray that the Senate intervenes and-

1. ~~Urges~~ ^{calls upon} the National Government to reach out to the Government of the Royal Kingdom of Saudi Arabia ~~with a proposal to~~ ^{and} enter a special Employment Contract that will secure and standardize the work environment for Kenyan workers in accord with the International Labour Organization (ILO) Convention concerning decent work for domestic workers;

2. Directs the National Government to audit the operations of recruitment agencies in Kenya and verify all employment contracts submitted by Saudi Arabian recruitment offices;
3. ^{calls upon} ~~Urges~~ the Government of Kenya to request the Kingdom of Saudi Arabia ^{as} the labour destination, to be responsible for authenticity of the employment contract, provide a 24-hour mechanism for domestic workers' assistance and provide expeditious settlement of labour contract violation cases;
4. ^{calls upon} ~~Requests~~ the Government of Kenya to request the Government of the Royal Kingdom of Saudi Arabia to ^{repatriate} ~~return~~ the bodies of all dead Kenyans, ~~and also to release and repatriate back to Kenya~~ all Kenyans who are languishing in Saudi Arabian prisons.
5. Takes any other measure deemed fit, just, and expedient, in the circumstances, to protect the rights and fundamental freedoms of Kenyan citizens working in Saudi Arabia under the general rules of international law, international treaties and conventions, and other instruments ratified by both Kenya and Saudi Arabia, and the Constitution of the Republic of Kenya.

Counter-signed and presented to the Senate by Sen. Emma Mbura.

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SEN. EMMA MBURA
NOMINATED SENATOR.

Dated this.....day of2015.

